UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

NO. 98-15757

CT/AG#: CV-96-00965-LKK (GGH)

ANDREW H.K. WONG

v.

Plaintiff - Appellant

NEW 2-2155)

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Defendant - Appellee

APPEAL FROM the United States District Court for the Eastern District of California (Sacramento) .

THIS CAUSE came on to be heard on the Transcript of the Record from the United States District Court for the Eastern District of California (Sacramento) and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and hereby is reversed and remanded.

Filed and entered September 16, 1999

A TRUE COPY CATHY A. CATTERSON Clerk of Court **ATTEST**

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United States District Court for the Eastern District of California November 23, 1999

* * CERTIFICATE OF SERVICE * *

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Wong

v.

Regents of the Univ

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on November 23, 1999, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Dan Siegel Siegel Yee and Jonas 499 14th Street Suite 220 Oakland, CA 94612

Michael T Lucey Gordon and Rees Embarcadero Center West 275 Battery Street Suite 2000 San Francisco, CA 94111 SJ/LKK

Jack L. Wagner, Clerk

BY:

Deputy Clerk